

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GRADILLAS COURT REPORTERS, INC.,

Plaintiff,

v.

CHERRY BEKAERT, LLP, et al.,

Defendants.

Case No. 18-mc-80064-KAW

**ORDER DENYING PLAINTIFF'S  
ADMINISTRATIVE MOTION TO  
ADVANCE OR VACATE THE  
HEARING DATE**

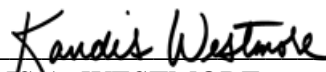
Re: Dkt. No. 40

On June 17, 2018, Plaintiff Gradillas Court Reporters filed an administrative motion to advance the August 16, 2018 hearing date on third-party Behmke Reporting and Video Services, Inc.'s ("Behmke") motion for reconsideration to July 5 or July 19, or to vacate the hearing. (Dkt. No. 40.) Plaintiff's motion is based on Plaintiff being prejudiced due to upcoming expert deadlines in the underlying case. On June 21, 2018, Behmke filed an opposition, stating that counsel was not available on July 19, 2018. (Dkt. No. 41; Fogarty Decl. ¶ 3, Dkt. No. 42.)

The Court DENIES Plaintiff's motion to advance or vacate the hearing date. The July 5, 2018 hearing date would not give sufficient time to brief the motion, as Plaintiff has yet to file its opposition, and Behmke's counsel is unavailable on July 19, 2018. The hearing date remains set for August 16, 2018. The Court may, however, vacate the hearing date if it determines that a hearing is not necessary after reviewing the parties' filings. (*See* Civil Local Rule 7-1(b).)

IT IS SO ORDERED.

Dated: June 22, 2018

  
KANDIS A. WESTMORE  
United States Magistrate Judge